IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 33595 of 2007(Y)

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PETITIONER:

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SALIM BABU.P.K., AGED 39 YEARS,
SUB DIVISIONAL ENGINEER (OPERATIONS), O/O THE
GENERAL MANAGER TELECOM DISTRICT,
BHARAT SANCHAR NIGAM LIMITED, ALAPPUZHA,
(RESIDING AT KANJIRATHIL, CHERAVALLY,
KAYAMKULAM).

BY ADV. SRI.K.A.MANZOOR ALI

RESPONDENTS:

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1. UNION OF INDIA, REP. BY ITS SECRETARY
TO DEPARTMENT OF TELECOMMUNICATIONS,
NEW DELHI.

2. THE CHIEF GENERAL MANAGER,
BHARAT SANCHAR NIGAM LIMITED,
THIRUVANANTHAPURAM.

3. SRI.HARIDASAN M.,
GENERAL MANAGER, BHARAT SANCHAR NIGAM LIMITED,
TELECOM DISTRICT, ALAPPUZHA.

4. SRI.V J D NAIR,
DEPUTY GENERAL MANAGER (OPERATIONS)
BHARAT SANCHAR NIGAM LIMITED,
TELECOM DISTRICT, ALAPPUZHA.

5. SRI.K.G.BALAKRISHNA PILLAI
ASST.GENERAL MANAGER, (OPERATIONS),
BHARAT SANCHAR NIGAM LIMITED,
TELECOM DISTRICT, ALAPPUZHA.

BY SC SRI.JAYASANKAR FOR RESPONDENTS 1 TO 5

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**V.GIRI, J.**

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**W.P.(C)No.33595 of 2007**

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**Dated this the 29th day of November 2007**

**JUDGMENT**

The petitioner sought for expunging the adverse remarks made against him in the CR for the year 2006-2007 by Ext.P3. This was rejected under Ext.P4 order issued by the 3rd respondent. Learned counsel for the petitioner submits that though a request was submitted before the second respondent as per Ext.P3, the 5th respondent passed orders on the same and the same is without jurisdiction. According to the petitioner, orders should have been passed by the second respondent and that too after hearing him.

2. After having heard learned Standing counsel also, I think it is appropriate that the second respondent looks into Ext.P5 and if Ext.P4 appellate order has been passed by the competent authority, in accordance with law, that aspect may be communicated to the petitioner. Needful shall be done by the second respondent as regards Ext.P5 within a period of two months from the date of receipt of a copy of this judgment. The petitioner may be heard by the second respondent before a decision is taken on Ext.P5.

**V.GIRI, JUDGE**

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